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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARLEN SHAVERDIAN,

Defendant.

Case No.: 2:18-mj-00500-PAL

**STIPULATION TO CONTINUE
PRELIMINARY HEARING**
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United States Attorney, Allison Reese, Assistant United States Attorney, counsel for the United States of America, and Chris Rasmussen, Esq., counsel for Garlen Shaverdian, that the preliminary hearing date in the above-captioned matter, currently scheduled for August 28, 2018, at 4:00 p.m., be vacated and continued for a period of thirty (30) days to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. Counsel for the Government has been out of the district for pre-scheduled work related trainings for the previous two weeks and needs additional time to prepare for the

1 preliminary hearing. The additional time will also allow the parties to discuss the case and reach
2 a potential resolution in the interest of justice.

3 2. Defendant is out of custody and does not object to a continuance.

4 3. The parties agree to the continuance.

5 4. The additional time requested herein is not sought for purposes of delay.

6 5. Additionally, denial of this request for continuance could result in a miscarriage
7 of justice.

8 6. The additional time requested by this stipulation is allowed, with the defendant's
9 consent, under the Federal Rules of Criminal Procedure 5.1(d).

10 7. This is the first request to continue the preliminary hearing.

11 DATED this 21st day of August, 2018.

12 DAYLE ELLIESON
13 United States Attorney

14 By: /s/ Allison Reese
15 ALLISON REESE
16 Assistant United States Attorney

By: /s/ Chris Rasmussen
CHRIS RASMUSSEN, ESQ.
Attorney for Garlen Shaverdian

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 -oOo-

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 GARLEN SHAVERDIAN,

8 Defendant.

Case No.: 2:18-mj-00500-PAL

ORDER

9
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court hereby finds that:

13 1. Counsel for the Government has been out of the district for pre-scheduled work
14 related trainings for the previous two weeks and needs additional time to prepare for the
15 preliminary hearing. The additional time will also allow the parties to discuss the case and reach
16 a potential resolution in the interest of justice.

17 2. The parties agree to the continuance.

18 3. Defendant is incarcerated and does not object to the continuance through his
19 attorney.

20 4. Additionally, denial of this request for continuance could result in a miscarriage
21 of justice.

22 5. The additional time requested herein is not sought for purposes of delay, and good
23 cause is shown by the parties to continue the preliminary hearing.

6. The additional time requested by this stipulation is allowed, with the defendant's consent, under the Federal Rules of Procedure 5.1(d).

7. This is the first request to continue the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to assess the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the defendant's consent pursuant to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for August 28, 2018 at the hour of 4:00 p.m. be vacated and continued to September 28, 2018, at the hour of 4:00 p.m.

DATED this 23rd day of August, 2018.


THE HONORABLE PEGGY LEEN
UNITED STATES MAGISTRATE JUDGE